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JUN 10 2008

UNITED STATES DISTRICT COURT  
Northern District of California  
450 Golden Gate Avenue  
San Francisco, California 94102

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Richard W. Wiking  
Clerk

[www.cand.uscourts.gov](http://www.cand.uscourts.gov)

General Court Number  
415.522.2000

June 12, 2008

Clerk  
U.S. Court of Appeals  
For the Ninth Circuit  
P.O. Box 193939  
San Francisco, CA 94119-3939

08-16407

**CASE NUMBER: CV 08-01279 SI**

**CASE TITLE: IN RE ARRIVA PHARMACEUTICALS INC.-v-IN RE ARRIVA PHARMACEUTICALS INC.**

USCA Case Number:

Dear Sir/Madam:

Enclosed is the NOTICE OF APPEAL in the above captioned case. Please acknowledge receipt on the enclosed copy of this letter and return it to this office.

Sincerely,

RICHARD W. WIEKING, Clerk

/s/

by: Yumiko Saito  
Case Systems Administrator

cc: Counsel of Record

## UNITED STATES COURT OF APPEALS

## FOR THE NINTH CIRCUIT

JUN 16 2008

MOLLY C. DWYER, CLERK OF COURT  
U.S. COURT OF APPEALS

ALPHAMED PHARMACEUTICALS  
CORP., a Florida corporation,

Appellant,

v.

ARRIVA PHARMACEUTICALS, INC., a  
California corporation,

Appellee.

No. 08-16407

D.C. No. 3:08-cv-01279-SI  
Northern District of California,  
San Francisco

**TIME SCHEDULE  
ORDER**

The parties shall meet the following time schedule:

<b>Mon., June 23, 2008</b>	Appellant/petitioner shall notify appellee/respondent of transcripts to be ordered, pursuant to 9th Cir. R. 10-3.1(a);
<b>Tue., July 1, 2008</b>	Appellee/respondent shall notify appellant/petitioner of any additional transcripts needed, pursuant to 9th Cir. R. 10-3.1(b);
<b>Fri., July 11, 2008</b>	Appellant/petitioner shall file transcript order form with the district court and make payment arrangements with court reporter, pursuant to 9th Cir. R. 10-3.1;
<b>Mon., August 11, 2008</b>	Court reporter shall file transcript in the district court, pursuant to FRAP 11(b) and 9th Cir. R. 11-1.1;
<b>Fri., September 26, 2008</b>	Appellant/petitioner's opening brief and excerpts of record shall be served and filed pursuant to FRAP 32 and 9th Cir. R. 32-1;

**Mon., October 27, 2008** The brief of appellee/respondent shall be filed and served, pursuant to FRAP 32 and 9th Cir. R. 32-1

**The optional appellant/petitioner reply brief shall be filed and served within fourteen days of service of the appellee/respondent's brief, pursuant to FRAP 32 and 9th Cir. R. 32-1.**

**Failure of the appellant to comply with the Time Schedule Order will result in automatic dismissal of the appeal. 9th Cir. R. 42-1**

**Appellants/Petitioners without representation of counsel in a prisoner appeal may have their case submitted on the briefs and record without oral argument, pursuant to FRAP 34(a). Within 10 days of the filing of the appellant's opening brief, parties may file a statement setting forth the reasons why, in the opinion of the parties, oral argument should be heard.**

FOR THE COURT:

Molly C. Dwyer  
Clerk of Court

Gerald Rosen  
Deputy Clerk